

TTAB Oct 30 02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 76/234,423: LITTLE BUNNY FOO FOO

Published in the Official Gazette of July 2, 2002, at TM 746, Class 28.



11-04-2002

U.S. Patent & TMOfo/TM Mail Rpt Dt. #70

LORRAINE LINDLEY,
d/b/a RAIN DEAR DESIGNS

Opposer,

v.

HASBRO, INC.

Applicant.

Opposition No. _____

NOTICE OF OPPOSITION

LORRAINE LINDLEY, d/b/a RAIN DEAR DESIGNS, a sole proprietorship of the State of California, located and doing business at 1506 Fern Drive, Eureka, California 95503, believes that she will be damaged by the registration of the mark LITTLE BUNNY FOO FOO, Application Serial No. 76/234,423, and opposes the same.

As grounds for opposition, it is alleged that:

1. Opposer has used its mark LITTLE BUNNY FOO FOO in commerce continuously since February, 1995 in connection with the advertising, promotion, distribution and sale of bunny-shaped ornaments in Class 28.

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2. Opposer's mark LITTLE BUNNY FOO FOO is well-known within the gift and decorative accessories industry. Opposer has been using its mark continuously and has acquired a good reputation as a hand crafter of merchandise bearing the mark.
3. Opposer has sold many thousands of dollars worth of ornaments under its LITTLE BUNNY FOO FOO trademark and has spent many thousands of dollars in advertising and promoting its LITTLE BUNNY FOO FOO trademark in interstate commerce.
4. By virtue of opposer's aforesaid extensive advertising, promotion and sales, opposer's LITTLE BUNNY FOO FOO trademark has come to represent extremely valuable goodwill which is owned by opposer.
5. Use of the Applicant's trademark LITTLE BUNNY FOO FOO, for which registration is sought in the application opposed herein, for "Parlor games, board games, card games and jigsaw puzzles" is likely to cause confusion, mistake or deception as to the source of origin, sponsorship or approval of applicant's products in that purchasers or others are likely to believe that applicant's products are opposer's products or are in some way legitimately connected with, licensed or approved by opposer.
6. Upon information and belief, neither applicant nor any predecessor or related company of applicant has yet made use of the trademark LITTLE BUNNY FOO FOO, and the application is filed under Section 1(b) (intent to use).

NOTICE OF OPPOSITION

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7. Use by applicant of the trademark LITTLE BUNNY FOO FOO for which registration is sought in the application opposed herein is without opposer's consent or permission.

WHEREFORE, opposer requests that this Notice of Opposition be sustained and that applicant be denied registration.

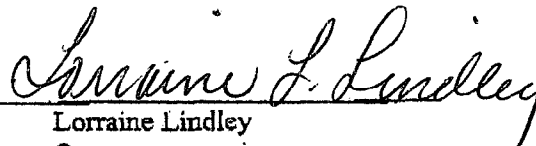
Opposer submits the requisite filing fee in the amount of \$300.00. The Notice is submitted in duplicate.

Please address all correspondence to:

Lorraine Lindley
d/b/a RAIN DEAR DESIGNS
1506 Fern Drive
Eureka, California 95503

Date: 10-30, 2002

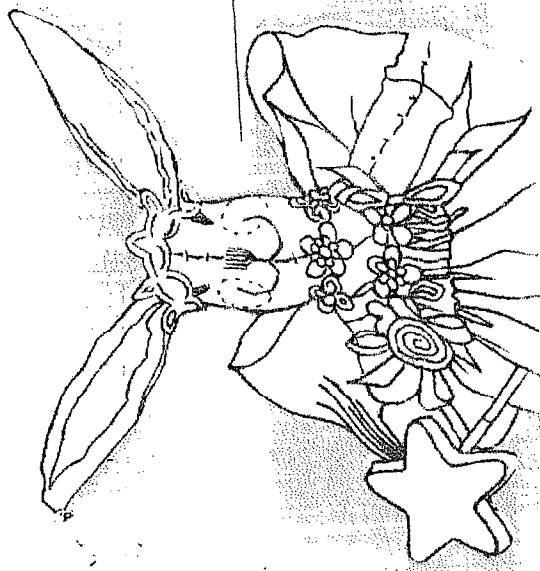
By



Lorraine Lindley

Opposer

Telephone: (707) 443-0560



Rain Dear Design

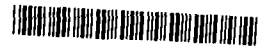
1506 Fern Drive
Eureka, CA
95503

(date)

10/30/02

TRADEMARK TRIAL AND
APPEAL BOARD
02 NOV 20 AM 9:30

Assistant Commissioner
for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3513
BOX TTAB FEE



11-04-2002

U.S. Patent & TMO/TM Mail Rcpt Dt. #70

RE: NOTICE OF OPPOSITION
Mark: LITTLE BUNNY FOO FOO
In International Class 28
App. No. 76/234,423

Dear Sir/Madam:

Enclosed for filing in the Patent and Trademark Office is a Notice of Opposition against the above referenced application. I also enclose the requisite fee in the amount of \$300.00.

Please acknowledge receipt of this document by date stamping the enclosed self-addressed, stamped postcard and returning it to me.

Very truly yours,

Lorraine P. Lindley

Lorraine Lindley

Enclosures *check #3548, postcard and notice of opposition*

Date of Deposit: 10-30-02

I, Lorraine Lindley, do hereby certify that the foregoing documents are being deposited with the United States Postal Service as FIRST CLASS MAIL, postage prepaid, in an envelope addressed to the Assistant Commissioner for Trademarks, 2900 Crystal Drive, Arlington, VA 22202-3513, on this date of 10-30-02

Lorraine P. Lindley
Lorraine Lindley

DD

photo copy

(date) *10-30-02* *24.*

Assistant Commissioner
for Trademarks
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Arlington, VA 22202-3513
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